

Message Text

CONFIDENTIAL

PAGE 01 GENEVA 04864 01 OF 02 311817Z
ACTION IO-14

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C O N F I D E N T I A L SECTION 01 OF 02 GENEVA 04864

EYES ONLY

IO/UNA FOR HUMAN RIGHTS REPRESENTATIVE EDWARD
MEZVINSKY ONLY

E.O. 11652: GDS
TAGS: SHUM
SUBJECT: MEZVINSKY VISIT TO SANTIAGO

REF: GENEVA 04780

FOLLOWING IS TEXT OF DOCUMENT RECEIVED FROM HUMAN RIGHTS
DIVISION REGARDING SUBJECT VISIT:

QUOTE
CONFIDENTIAL MEMO 31 MARCH 1978 (ONLY FOR YOUR EYES)

FOLLOWING OUR CONVERSATION OF YESTERDAY, I AM SETTING
BELOW SOME OF MY THOUGHTS WHICH YOU MAY FIND USEFUL
IN VIEW OF YOUR FORTHCOMING MISSION.

1. I NEED NOT REMIND YOU OF THE STAND TAKEN BY THE CHILEAN
GOVERNMENT REPRESENTATIVE, AMBASSADOR DIEZ, AT THE LAST
SESSION OF THE COMMISSION ON HUMAN RIGHTS; AS YOU MAY
RECALL, AFTER THE ADOPTION OF THE GENERAL RESOLUTION
(12/34) AMBASSADOR DIEZ WAS EXTREMELY NEGATIVE AS FAR AS
CO-OPERATION WITH THE AD HOC WORKING GROUP WAS CONCERNED,
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PAGE 02 GENEVA 04864 01 OF 02 311817Z

AND IN PARTICULAR REGARDING A VISIT BY THE GROUP TO
CHILE; HE DID, HOWEVER, STRESS THAT HIS GOVERNMENT WOULD
CONTINUE TO CO-OPERATE WITH THE SECRETARY-GENERAL OF THE
UNITED NATIONS, THE INTERNATIONAL COMMITTEE OF THE RED
CROSS, ETC. IT HAD BECOME MORE THAN EVIDENT, SINCE
THE SO-CALLED REFERENDUM HELD IN DECEMBER 1977, THAT THE
CHILEAN GOVERNMENT WAS NOT, AND IS NOT, PREPARED TO

CO-OPERATE WITH UNITED NATIONS ORGANS, AND SPECIFICALLY THE GROUP ITSELF. AS YOU MAY RECALL, AMBASSADOR DIEZ WAS MORE VEHEMENTLY AGAINST THE CASSESE STUDY AND THE CREATION OF THE FUND TO AID REFUGEES, POLITICAL PRISONERS AND THEIR FAMILIES.

2. NOTWITHSTANDING THE POSITION TAKEN BY AMBASSADOR DIEZ IN THE COMMISSION, THE GROUP FELT IT ITS DUTY IN IMPLEMENTATION OF THE ADOPTED RESOLUTION 12/34 TO CONTINUE ITS EFFORTS FOR CONTACTS AND CO-OPERATION WITH THE CHILEAN GOVERNMENT. HENCE, ON BEHALF OF CHAIRMAN ALLANA WE HAVE WRITTEN TO THE CHILEAN AMBASSADOR IN GENEVA, ON 21 MARCH 1978, INFORMING HIM OF THE FORTHCOMING MEETINGS OF THE GROUP AND ASKING WHETHER CHILEAN GOVERNMENT REPRESENTATIVES WOULD WISH TO MEET WITH THE GROUP (SEE ATTACHED.)

3. IN MY VIEW, THE WHOLE SITUATION HAS REACHED AN IMPASSE AS FAR AS RELATIONS BETWEEN THE CHILEAN GOVERNMENT AND THE COMPETENT UNITED NATIONS ORGANS (NOT THE SECRETARIAT) WITH REGARD TO THE SITUATION OF HUMAN RIGHTS IN CHILE. THE MANDATE OF THE GROUP HAD, AS YOU KNOW, BEEN REPEATEDLY RENEWED AND THERE IS NO INDICATION THAT THE GROUP MAY NOT CONTINUE ITS WORK AD INFINITUM; WITH NATURALLY THE NEW COROLLARIES TO THE WHOLE IDEA OF THE INVESTIGATION, I.E. THE CASSESE STUDY AND THE FUND, BOTH OF WHICH WILL INEVITABLY PERPETUATE THE CONSTANT SCRUTINY OF WHAT IS GOING ON WITHIN CHILE. THE GOVERNMENT
CONFIDENTIAL

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PAGE 03 GENEVA 04864 01 OF 02 311817Z

ON THE OTHER HAND, MAY CONTINUE ITS OBSTINACY AND NOT ALLOW THE GROUP TO VISIT THE COUNTRY, WHILE AT THE SAME TIME THERE ARE ADMITTEDLY SIGNIFICANT DEVELOPMENTS LEADING TO A DEGREE OF IMPROVEMENT IN THE SITUATION OF HUMAN RIGHTS - THOUGH NOT NECESSARILY OF A DEMOCRATIC REGIME AS WELL.

4. THE OSTENSIBLE ARGUMENTS PROFFERED TIME AND AGAIN BY THE CHILEAN REPRESENTATIVES IN THE GENERAL ASSEMBLY AND IN THE COMMISSION REGARDING THE PERFORMANCE OF THE AD HOC WORKING GROUP CANNOT, IN MY OPINION, AMOUNT TO AN INSURMOUNTABLE OBSTACLE TO AN UNDERSTANDING WHICH WILL LEAD TO A VISIT BY THE GROUP TO CHILE. IF ONE WERE IN AGREEMENT THAT THE INFORMATION CONTAINED IN THE REPORTS OF THE GROUP IS ONE-SIDED, THEN THE BEST WAY TO GIVE AN OBJECTIVE PICTURE WOULD HAVE BEEN THE COURSE OF ALLOWING THE GROUP TO VISIT THE COUNTRY AND CONDUCT ITS INQUIRIES ON THE SPOT. I BELIEVE, WITH THE GENERAL IMPROVEMENT OF THE SITUATION IN THE COUNTRY, SUCH A VISIT WILL RESULT IN A MORE FAVOURABLE APPROACH BY THE GROUP TO THE WHOLE PROBLEM. THE REPEATED ARGUMENT WHICH WAS PRESENTED AS THE REAL APPLE OF DISCORD BY THE CHILEAN REPRESENTATIVES I.E. THE RULES OF PROCEDURE AND SPECIFICALLY RULES 15 -

17 (SEE PP. 98 AND 99, DOCUMENT A/10285) COULD SURELY
BE OVERCOME ESPECIALLY UNDER THE PRESENT SITUATION WHEN
THERE ARE NO POLITICAL DETAINEES AND THE EMERGENCY
SITUATION HAS SOMEWHAT RELAXED.

5. THE PROBLEM OF THE MISSING PERSONS PERHAPS IS THE MOST
IMPORTANT AND EMOTIONALLY ACUTE, AND THE ONE WHICH
WOULD HAVE GENERATED EXTREME DEMONSTRATION OF INTEREST
IF THE GROUP WERE TO VISIT THE COUNTRY. BUT AGAIN, I
BELIEVE THAT THE GOVERNMENT OF CHILE SHOULD TAKE SUCH
A RISK AND EVEN GO FURTHER AND ASSIST THE GROUP IN ITS

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PAGE 01 GENEVA 04864 02 OF 02 311818Z
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C O N F I D E N T I A L SECTION 02 OF 02 GENEVA 04864

EYES ONLY FOR MZVINSKY

INQUIRY OF THE MISSING PERSONS, IN CO-OPERATION WITH THE
RED CROSS, SO THAT SUCH AN IMPORTANT PROBLEM, WHICH IS
A PROBLEM FOR BOTH THE GOVERNMENT AND THE FAMILIES OF
THE MISSING PERSONS COULD PROBABLY BE IF NOT FULLY BUT TO
A GREAT EXTENT SOLVED.

6. IN CONCLUSION, I FEEL THAT IT WOULD BE ADVANTAGEOUS
FOR BOTH THE GOVERNMENT OF CHILE AND THE UNITED NATIONS
IF THE GROUP IS ALLOWED TO VISIT CHILE AS SOON AS POSSI-
BLE. YOU MAY INQUIRE WHETHER THE REPRESENTATIVES OF
THE GOVERNMENT WOULD WISH TO MEET WITH THE GROUP IN MAY
WITH SPECIFIC INSTRUCTIONS AND GOODWILL TO NEGOTIATE
A VISIT OF THE GROUP TO CHILE. UNQUOTE.

ATTACHMENT
QUOTE 21 MARCH 1978

SIR,
I HAVE THE HONOUR TO REFER TO RESOLUTION 12 (XXXIV)
ADOPTED BY THE COMMISSION ON HUMAN RIGHTS ON 6 MARCH

1977, A COPY WHICH IS ATTACHED HERETO.

1. IN PARAGRAPH 10, OF ITS RESOLUTION, THE COMMISSION
EXTENDS FOR ONE YEAR THE MANDATE OF THE AD HOC WORKING
GROUP ON CHILE AND REQUESTS IT TO REPORT TO THE GENERAL
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PAGE 02 GENEVA 04864 02 OF 02 311818Z

ASSEMBLY AT ITS THIRTY-THIRD SESSION AND TO THE COMMISSION
ON HUMAN RIGHTS AT ITS THIRTY-FIFTH SESSION WITH SUCH
ADDITIONAL INFORMATION AS MAY BE NECESSARY. IN
PARAGRAPH 11, THE COMMISSION CALLS ONCE AGAIN UPON THE
CHILEAN AUTHORITIES TO ADMIT THE AD HOC WORKING GROUP
INTO CHILE, THEREBY CONTRIBUTING TO AN IMPARTIAL INVESTI-
GATION OF THE HUMAN RIGHTS SITUATION IN THAT COUNTRY.

2. MR. GHULAM ALI ALLANA, CHAIRMAN OF THE AD HOC
WORKING GROUP, WHO IS AT THIS TIME IN KARACHI, REQUESTED
ME TO INFORM YOUR EXCELLENCY'S GOVERNMENT THAT THE GROUP
PLANS TO MEET FOR A PERIOD OF ONE TO TWO WEEKS DURING THE
SECOND HALF OF MAY 1978 TO DECIDE ON ITS PROGRAMME OF WORK
IN IMPLEMENTATION OF ITS MANDATE.

3. IN THIS PERSPECTIVE, MR. ALLANA HAS AKSED ME TO
INQUIRE AS TO WHETHER YOUR EXCELLENCY'S GOVERNMENT
WOULD WISH TO SEND REPRESENTATIVES TO CONFER AND
DISCUSS RELEVANT MATTERS WITH THE GROUP DURING ITS
MEETINGS IN MAY. IN THIS CONNEXION I WOULD LIKE TO
REFER TO THE STATEMENT MADE BY MR. ALLANA AT THE
1458TH MEETING OF THE COMMISSION ON HUMAN RIGHTS,
IN PARTICULAR THE PART REFLECTED IN PARAGRAPHS 46 AND
47 OF THE SUMMARY RECORD OF THAT MEETING. AN EARLY
REPLY OF YOUR EXCELLENCY'S GOVERNMENT WOULD BE MOST
APPRECIATED.

4. ACCEPT, SIR, THE ASSURANCES OF MY HIGHEST
CONSIDERATION, UNQUOTE.VANDEN HEUVEL

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